

UNITED STATES DISTRICT COURT

District of MassachusettsMichael Black,

Plaintiff

v.

DAVID L. WINN (Warden FMC Devens)

Defendant

APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF
FEES AND AFFIDAVIT04-40233-DPW

CASE NUMBER:

I, Michael Black

declare that I am the (check appropriate box)

 petitioner/plaintiff/movant other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? Yes No (If "No," go to Part 2)If "Yes," state the place of your incarceration FMC Devens PO Box 879 Ayer, MA 01432Are you employed at the institution? NO Do you receive any payment from the

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? Yes No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

I am a paraplegic, I have no work history to state

3. In the past 12 twelve months have you received any money from any of the following sources?

a. Business, profession or other self-employment	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
b. Rent payments, interest or dividends	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
c. Pensions, annuities or life insurance payments	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
d. Disability or workers compensation payments	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
e. Gifts or inheritances	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
f. Any other sources	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

4. Do you have any cash or checking or savings accounts? Yes No
If "Yes," state the total amount. 0

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value? Yes No
If "Yes," describe the property and state its value.

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

no one

I declare under penalty of perjury that the above information is true and correct.

10/27/2004 Michael Stark Signature of Applicant
Date

NOTICE TO PRISONER: A Prisoner seeking to proceed without prepayment of fees shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

Inmate Inquiry

Inmate Reg #: 11354424
 Inmate Name: BLACK, MICHAEL
 Report Date: 09/16/2004
 Report Time: 2:46:30 PM
 Current Institution: Burner FMC
 Housing Unit: AMBULATORY
 Living Quarters: D04-426LH

[General Information](#) | [Account Balances](#) | [Commissary History](#) | [Commissary Restrictions](#) | [Comments](#)

General Information

Administrative Hold Indicator: No

No Power of Attorney: No

Never Waive NSF Fee: No

Max Allowed Deduction %: 100

PIN: 9583

FRP Participation Status: Completed

Arrived From: BUF

Transferred To:

Account Creation Date: 8/8/2001

Local Account Activation Date: 7/1/1991

Sort Codes:

Last Account Update: 9/13/2004 3:14:38 AM

Account Status: Active

ITS Balance: \$0.22

FRP Plan Information

FRP Plan Type	Expected Amount	Expected Rate
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Account Balances

Account Balance: \$0.00

Pre-Release Balance: \$0.00

Debt Encumbrance: \$0.00

SPO Encumbrance: \$0.00

Other Encumbrances: \$0.00

Outstanding Negotiable Instruments: \$0.00

Administrative Hold Balance: \$0.00

Available Balance: \$0.00

National 6 Months Deposits: \$875.00

National 6 Months Withdrawals: \$975.06

National 6 Months Avg Daily Balance: \$30.37

Local Max. Balance - Prev. 30 Days: \$75.25

Average Balance - Prev. 30 Days: \$18.39

Commissary History

Purchases

Validation Period Purchases: \$0.00
YTD Purchases: \$660.38
Last Sales Date: 8/25/2004 5:07:16 PM

SPO Information

SPO's this Month: 0
SPO \$ this Quarter: \$0.00

Spending Limit Info

Spending Limit Override: No
Weekly Revalidation: No
Spending Limit: \$290.00
Expended Spending Limit: \$0.00
Remaining Spending Limit: \$290.00

Commissary Restrictions

Spending Limit Restrictions

Restricted Spending Limit: \$0.00
Restricted Expended Amount: \$0.00
Restricted Remaining Spending Limit: \$0.00
Restriction Start Date: N/A
Restriction End Date: N/A

Item Restrictions

List Name	List Type	Start Date	End Date	Userid	Active
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Comments

Comments:

Inmate Statement



Inmate Reg #: 11354424
 Inmate Name: BLACK, MICHAEL
 Report Date: 09/16/2004
 Report Time: 2:46:39 PM
 Current Institution: Butler FMC
 Housing Unit: AMBULATORY
 Living Quarters: D04-426LH

<u>Alpha</u>	<u>Date/Time</u>	<u>Reference#</u>	<u>Payment#</u>	<u>Receipt#</u>	<u>Transaction Type</u>	<u>Transaction Amount</u>	<u>Encumbrance Amount</u>	<u>Ending Balance</u>
BUH	9/1/2004 5:37:17 PM	ITS0901			ITS Withdrawal	(\$10.00)		\$0.00
BUH	9/1/2004 3:03:01 AM	4BUHD030 - 128			Debt Encumbrance - Released		\$15.00	-----
BUH	9/1/2004 3:03:01 AM	4BUHD030	M564		PLRA Payment	(\$5.65)		\$10.00
BUH	8/25/2004 5:07:16 PM	39			Sales	(\$40.60)		\$15.65
BUH	8/23/2004 5:04:52 PM	ITS0823			ITS Withdrawal	(\$3.00)		\$56.25
BUH	8/22/2004 12:33:23 PM	ITS0822			ITS Withdrawal	(\$1.00)		\$59.25
BUH	8/21/2004 1:00:57 PM	ITS0821			ITS Withdrawal	(\$3.00)		\$60.25
BUH	8/19/2004 4:51:36 PM	ITS0819			ITS Withdrawal	(\$2.00)		\$63.25
BUH	8/18/2004 4:55:09 PM	ITS0818			ITS Withdrawal	(\$10.00)		\$65.25
BUH	8/18/2004 1:05:52 PM	6266		116582	Local Collections	\$75.00		\$75.25
BUH	8/18/2004 1:05:52 PM	4BUHD030 - 128			Debt Encumbrance		(\$15.00)	-----
BUH	8/13/2004 5:41:06 AM	TX081304			Transfer - In from TRUFACS	\$0.25		\$0.25
BUH	8/11/2004 5:33:52 AM	TX081104			Transfer - Out to TRUFACS	(\$0.25)		\$0.00
BUH	8/4/2004 6:32:00 PM	81			Sales	(\$3.75)		\$0.25
BUH	8/2/2004 7:46:27 PM	ITS0802			ITS Withdrawal	(\$3.00)		\$4.00
BUH	8/2/2004 4:47:52 PM	ITS0802			ITS Withdrawal	(\$3.00)		\$7.00
BUH	8/1/2004 3:03:21 AM	4BUHD030 - 102			Debt Encumbrance - Released		\$10.00	-----
BUH	8/1/2004 3:03:21 AM	4BUHD030 - 115			Debt Encumbrance - Released		\$5.00	-----
BUH	8/1/2004 3:03:21 AM	4BUHD030	M439		PLRA Payment	(\$5.02)		\$10.00
BUH	7/21/2004 7:56:25 PM	ITS0721			ITS Withdrawal	(\$3.00)		\$15.02
BUH	7/21/2004 6:10:16 PM	67			Sales	(\$7.05)		\$18.02
BUH	7/19/2004 4:41:12 PM	ITS0719			ITS Withdrawal	(\$10.00)		\$25.07
BUH	7/19/2004 1:25:09 PM	5277		147449	Local Collections	\$25.00		\$35.07
BUH	7/19/2004 1:25:09 PM	4BUHD030 - 115			Debt Encumbrance		(\$5.00)	-----
BUH	7/14/2004 6:46:35 PM	84			Sales	(\$8.19)		\$10.07
BUH	7/8/2004 8:26:22 PM	ITS0708			ITS Withdrawal	(\$2.00)		\$18.26
BUH	7/7/2004 8:21:37 PM	ITS0707			ITS Withdrawal	(\$2.00)		\$20.26
BUH	7/7/2004 6:36:25 PM	66			Sales	(\$27.74)		\$22.26
BUH	7/6/2004 4:33:06 PM	ITS0706			ITS Withdrawal	(\$5.00)		\$50.00
BUH	7/6/2004 1:34:50 PM	4823		147424	Local Collections	\$50.00		\$55.00
BUH	7/6/2004 1:34:50 PM	4BUHD030 - 102			Debt Encumbrance		(\$10.00)	-----
BUH	7/3/2004 12:07:51 PM	ITS0703			ITS Withdrawal	(\$3.00)		\$5.00
BUH	7/1/2004 4:41:26 PM	ITS0701			ITS Withdrawal	(\$2.00)		\$8.00

BUH	7/1/2004 3:03:07	4BUHD030 - AM 87	Debt Encumbrance - Released	\$20.00	-----
BUH	7/1/2004 3:03:07	4BUHD030 - AM 97	Debt Encumbrance - Released	\$4.00	-----
BUH	7/1/2004 3:03:07	4BUHD030 - AM 100	Debt Encumbrance - Released	\$4.00	-----
BUH	7/1/2004 3:03:07	4BUHD030 M361 AM	PLRA Payment	(\$18.31)	\$10.00
BUH	6/30/2004 6:56:58 PM	69	Sales	(\$10.15)	\$28.31
BUH	6/28/2004 4:56:27 PM	ITS0628	ITS Withdrawal	(\$6.00)	\$38.46
BUH	6/28/2004 1:25:30 PM	4599	147407 Local Collections	\$20.00	\$44.46
BUH	6/28/2004 1:25:30 PM	100	Debt Encumbrance	(\$4.00)	-----
BUH	6/24/2004 8:34:42 PM	ITS0624	ITS Withdrawal	(\$5.00)	\$24.46
BUH	6/22/2004 6:56:35 PM	ITS0622	ITS Withdrawal	(\$5.00)	\$29.46
BUH	6/21/2004 4:47:30 PM	ITS0621	ITS Withdrawal	(\$6.00)	\$34.46
BUH	6/21/2004 1:21:58 PM	4372	116573 Local Collections	\$20.00	\$40.46
BUH	6/21/2004 1:21:58 PM	97	Debt Encumbrance	(\$4.00)	-----
BUH	6/20/2004 2:40:45 PM	ITS0620	ITS Withdrawal	(\$5.00)	\$20.46
BUH	6/20/2004 1:22:47 PM	ITS0620	ITS Withdrawal	(\$5.00)	\$25.46
BUH	6/15/2004 2:00:26 PM	9	Sales	(\$3.85)	\$30.46
BUH	6/15/2004 1:58:05 PM	8	Sales	(\$43.69)	\$34.31

1 2 3

Total Transactions: 108

Totals: \$0.00 \$0.00

Current Balances

<u>Alpha Code</u>	<u>Available Balance</u>	<u>Pre-Release Balance</u>	<u>Debt Encumbrance</u>	<u>SPO Encumbrance</u>	<u>Other Encumbrance</u>	<u>Outstanding Instruments</u>	<u>Administrative Holds</u>	<u>Account Balance</u>
BUH	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Totals:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00